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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,346	07/27/2001	Jun Hirai	212055US2S	7186
22850	7590	10/06/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CHEA, PHILIP J	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,346

Applicant(s)

HIRAI, JUN

Examiner

Philip J Chea

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-26 have been examined.

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 2000-229164, filed on July 28, 2000 and Application No. 2001-220331, filed on July 19, 2001.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Note Fig. 10, reference characters 204, 205, and 206 are not mentioned in the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means"

Art Unit: 2153

and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because:

- Note line 1 "There is disclosed" is implied.
- Note, form used in patent claims should be avoided. The abstract is one sentence covering a lot of information. Please make the abstract more clear and concise by breaking it up into sentences.

Correction is required. See MPEP § 608.01(b).

5. The disclosure is objected to because of the following informalities:

- Note page 2, line 16 "an question" is apparently "a question".
- Note page 6, line 11 "efficiency" is apparently "efficient".
- Note page 25, line 3 "a seeds" is apparently "seeds".
- Note page 31, line 7 "an constitution" is apparently "a constitution".
- Note page 53, line 2 "serer" is apparently "server".
- Note page 53, line 26 "effectively analyzed" is apparently "effectively be analyzed".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2153

7. Claims 1-5, 7-17, and 19-26 rejected under 35 U.S.C. 102(b) as being anticipated by Gerace (U.S. 5,848,396).

As per claims 1, 10, 13, 22, 25, and 26, Gerace discloses a web audience analyzing system, as claimed, comprising:

- inputting a designation of a web page assembly as an analysis object (see column 12, lines 7-21, where analysis object is considered an ad package object that analyzes the number of times users hit/click on an ad);
- acquiring related information including a designation of a web page assembly related to the web page assembly as an analysis object (see column 7, lines 4-19, where the "web page assembly" is considered the agate data working with the Page Display Object, and the "analysis object" is considered an advertisement object that is linked to a webpage assembly [column 14, lines 24-35]). Related information is the use of targeted ads depending on which web page assembly a user is reading (see column 14, lines 24-35);
- acquiring audience information with respect to the web page assembly (see column 6, lines 1-56, where respect to the web page assembly is indicated by allowing the user to customize their category of interest); and
- executing an analysis processing based on the acquired audience information and acquiring evaluation information concerning analysis object web page assembly (see column 13, lines 1-19, where audience information is considered the demographic breakdown, and analysis object is considered the ad packages).

As per claims 2 and 14, Gerace discloses, as claimed, the related information generated based on the designation of the web page assembly, which is related to analysis object (see column 14, lines 24-35, where links to ads are related to the web assembly that is being viewed) and selected from web page assemblies present on a network (see column 13, lines 38-45, where Internet is considered the network).

Art Unit: 2153

As per claims 3 and 15, Gerace discloses, as claimed, audience information generated based on characteristic information of the audience (column 6, lines 1-12) and a record of the web page assembly browsed by the audience (column 6, lines 40-56 and column 7, lines 4-22).

As per claims 4 and 16, Gerace discloses, as claimed, the web page assembly linked with analysis object web page in a predetermined relation (see column 7, lines 23-45, where the Interface Object specifies which advertisements are appropriate).

As per claims 5 and 17, Gerace discloses, as claimed, the designation of the web page assembly as a linker of the analysis object (see column 14, lines 4-23, where a hyperlink is used to connect the advertisement with the web page).

As per claims 7 and 19, Gerace discloses, as claimed, related information generated based on the designation of the web page assembly obtained as a linker of the analysis object by processing referrer information indicating the linker of a web page accessed utilizing a link (see column 14, lines 24-35, where the referrer is indicated by the listing the user as the requester and the current screen view as the page from which he made the request).

As per claims 8 and 20, Gerace discloses analysis processing, as claimed, comprising the steps of:

- obtaining the number of accesses utilizing a link to said analysis object from the web page assembly for each web page assembly by processing referrer information (see columns 14 and 15, lines 66-67 and 1-23, where accesses are considered clickthrus when users click on advertisements and link to the advertisement page); and
- weighting the audience information acquired in accordance with the number of accesses (see column 15, lines 25-44, where audience information is considered demographic criteria).

As per claims 9 and 21, Gerace discloses analysis processing, as claimed, comprising the steps of:

- obtaining the number of users having utilized a link to analysis object from the web page assembly based on user identifying information transmitted from a

Art Unit: 2153

terminal of the user having assessed a web server, and referrer information (see column 18 and 19, lines 51-67 and 1-6, where usage log is considered obtaining the number of users having utilized a link to analysis object, and user identifying information is considered the user profile); and

- weighting the audience information acquired in accordance with the number of users (see column 18 and 19, lines 51-67 and 1-6, where weighting is considered statistical regression techniques).

As per claims 11 and 23, Gerace discloses, as claimed, designation of the analysis object inputted via a network (see columns 17 and 18, lines 53-67 and 1-9, where a network is implied because this is the same log-in process for a normal user).

As per claims 12 and 24, Gerace discloses, as claimed, evaluation information provided via a network (see column 18, lines 27-55, where the web server implies being on a network).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace as applied to claims 4 and 16 above, and further in view of Perry and Chu ("Discovering Similar Resources by Content Part-Linking"). Although the system disclosed by Gerace shows substantial features of the claimed invention (discussed above), it fails to disclose having a linker common with the linker for the analysis object.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Gerace, as evidenced by Perry and Chu.

Art Unit: 2153

In an analogous art, Perry and Chu disclose linking web objects that have related content, creating a web object in common with other web objects (page 318, second paragraph, where web objects = HTML resources).

Given the teaching of Perry and Chu, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Gerace by employing common links, such as disclosed by Perry and Chu, in order to organize the massive amounts of distributed information that is found in the World Wide Web (see page 317, Introduction, lines 1-13).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aggarwal, Charu Chandra et al.	US 6714975
Bates, Cary Lee et al.	US 6131110
Cuomo, Gennaro A. et al.	US 6185614
Gerace, Thomas A.	US 5991735
Gerace, Thomas A.	US 5848396
Glommen, Charles et al.	US 6393479
Herz, Frederick S. M. et al.	US 5754939
Hosken, Benjamin E.	US 6438579
Huberman, Bernardo A. et al.	US 6115718
Lee, Juhnyoung et al.	US 6466970
Nickerson, Rand B. et al.	US 6421724
Pirolli, Peter L. et al.	US 5835905
Verma, Dinesh Chandra	US 6243750

Art Unit: 2153

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J Chea whose telephone number is 703-605-1202. The examiner can normally be reached on M-F 7:45-4:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip J Chea
Examiner
Art Unit 2153

PJC


FRANTZ B. JEAN
PRIMARY EXAMINER